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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

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TERRENCE USHER,

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Petitioner,

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v.

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A. NEIL CLARK,

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Respondent.

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CASE NO. C10-790-MJP-JPD

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REPORT AND
RECOMMENDATION

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Terrence Usher (“petitioner”) is proceeding pro se. By letter dated May 11, 2010,
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petitioner was granted thirty (30) days to either pay the \$5.00 filing fee, or submit a completed
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application to proceed *in forma pauperis* (“IFP”), along with a certified copy of his prison trust
account statement showing transactions for the past six months. (Dkt. No. 3.) Petitioner was
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advised that failure to respond to the letter by June 10, 2010, could result in dismissal of the case.
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Id. To date, petitioner has neither paid the filing fee nor submitted a completed application for
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IFP status. Accordingly, the Court recommends that this action be dismissed without prejudice
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for failure to pay the filing fee pursuant to 28 U.S.C. § 1914.

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DATED this 23rd day of June, 2010.

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JAMES P. DONOHUE
United States Magistrate Judge